

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

Autoscribe Corporation

*Plaintiff,*

v.

Fortis Payment Systems, LLC

*Defendant.*

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Case No.: 2:23-cv-00364

JURY TRIAL DEMANDED

**ORDER GRANTING PLAINTIFF’S UNOPPOSED MOTION FOR LEAVE  
TO CONDUCT EXPEDITED VENUE DISCOVERY**

Before the Court is Plaintiff Autoscribe’s (“Plaintiff”) Unopposed Motion for Leave to Conduct Expedited Venue Discovery (the “Discovery Motion”). (Dkt. No. \_\_\_\_). In the Discovery Motion, Plaintiff seeks leave to conduct limited, expedited venue discovery to resolve the parties’ dispute as to whether venue in this District is appropriate as disputed by Defendant Fortis Payment Systems, LLC’s (“Fortis” or “Defendant”) Motion to Transfer to the Eastern District of Michigan. *See* Dkt. No. 17 (the “Venue Motion”). (Dkt. No. 17). The Plaintiff represents that the parties have conferred, and Fortis does not oppose; further, the parties have agreed upon much of the scope of venue discovery subject to the Court’s approval.

Having considered the Discovery Motion, and noting its unopposed nature, the Court finds that it should be and hereby is GRANTED. It is therefore ORDERED that the parties may conduct limited, expedited venue discovery and submit briefing on the Venue Motion in accordance with the following:

1. Venue related discovery shall be completed within sixty (60) days of the issuance of an Order permitting venue-related discovery;

2. Venue related discovery shall be limited to the issues raised in Fortis's Venue Motion (Dkt. No. 17) and exhibits/declaration, Fortis and its affiliates' contacts with and within Texas, information regarding Fortis's direction and control of physical locations in this Forum, Fortis's direction and control of any corporate entity, subsidiary, or employee operating in this Forum, the identities of Fortis affiliates which are involved in the activities Autoscribe has accused;
3. Autoscribe may serve no more than (8) interrogatories and ten (10) document requests to Fortis by December 22, 2023;
4. Fortis shall respond to Autoscribe's discovery requests and produce responsive documents, if any, by January 23, 2023;
5. Autoscribe may conduct a 30(b)(6) deposition of Fortis limited to seven (7) hours total on the record on or before February 14, 2023;
6. Autoscribe's Response to the Venue Motion (Dkt. No. 17) shall be filed by March 4, 2024;
7. Fortis may file a Reply on or before March 18, 2024; and
8. The foregoing discovery shall not count toward the discovery limits set forth in the Court's standing Discovery Order.